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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,911	01/10/2001	Luke Surazski	CISCO-3701	9288

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SIERRA PATENT GROUP, LTD.  
1657 HWY 395  
SUITE 202  
MINDEN, NV 89423

EXAMINER
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WONG, BLANCHE

ART UNIT	PAPER NUMBER
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2619

MAIL DATE	DELIVERY MODE
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12/28/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/758,911	SURAZSKI ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Blanche Wong	2619

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on \_\_\_\_\_.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,6,7,9-17,19-29,31-39,41-45,50,51 and 53-66 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1,6,7,9-17,19-29,31-39,41-45,50,51 and 53-66 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 10 January 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)                    4) Interview Summary (PTO-413)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)                    Paper No(s)/Mail Date. \_\_\_\_\_.  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_                    5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Applicant's arguments filed December 3, 2007 have been fully considered but they are not persuasive.
2. Applicant states that "[i]ndependent claims 1,23, and 45 have been amended to remove the implied requirement that ... a URL is returned through transmitting a request to a mapping service utilizing a protocol similar to DNS". Amendment and Response to Office Action, p.12, para. 3. However, Examiner respectfully disagrees.
3. If Applicant is arguing that a URL is returned through transmitting a request to a mapping service, such a limitation is not found in the claims.
4. If Applicant is arguing that a URL is returned utilizing a protocol similar to DNS, such a limitation is not found in the claims.
5. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a URL is returned through transmitting a request to a mapping service, a URL is returned utilizing a protocol similar to DNS) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).
6. Applicant states that "a DNS-like protocol is not utilized in either Lund or Morton when accessing the mapping service. This limitation is incorporated directly into the three independent claims 1,23,45". Amendment and Response to Office Action, p.12, para. 4 – p.13, para. 1. However, Examiner respectfully disagrees.

7. If Applicant is arguing that a DNS-like protocol is utilized in the invention, such a limitation is not found in the claims.
8. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., DNS-like protocol) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).
9. Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made.

### ***Drawings***

10. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the steps of "placing, by the caller, a request ...", "returning a URL responsive to said request", "displaying to said caller one or more connection options corresponding to said URL", "selecting at least one of said one or more connection options", "providing said URL to a protocol server", "placing a call responsive to said at least one selected connection options...", "routing the entered phone number to the protocol server", "routing a session request ..." (claim 1) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

***Claim Rejections - 35 USC § 103***

11. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
12. **Claims 1,6,7,9-17,19-29,31-39,41-45,50,51,53-66** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lund (U.S. Pat No. 6,658,100) in view of Morton.

With regard to claims 1, 23 and 45, Lund discloses a method, device, and program storage device readable by a machine, for providing an improved interface to a caller during the initiation of a VoIP call comprising (**see also Fig. 3 and col. 4, ln. 8-col. 5, ln. 16**):

placing, by the caller (**caller**) (**See also calling party, col. 3, ln. 20 and 22; and Fig. 4**), a request (**number called**) for information (**URL of the called party**) regarding a party to be called (**called party**) (**when a caller places a call, the number called is used to look up and return to the caller the URL of the called party, col. 1, ln. 52-54**);  
returning a URL (**return to the caller the URL**) (**See also col. 3, ln. 23-24; and Fig. 4**) responsive to said request (**number called**).

However, Lund does not disclose displaying to said caller one or more connection options corresponding to said URL; selecting at least one of said one or more connection options; providing said URL to a protocol server; placing a call responsive to said at least one selected connection options by entering a phone number; routing the entered phone number to the protocol server; and routing a session request corresponding to said one or more connection options to the protocol server.

Morton discloses

displaying (displaying) (the returned URL is used by client greeting application to invoke the calling party's Web browser ... displaying by web browser application such as an HTML page, col. 5, ln. 38-55) to said caller one or more connection options (possible actions) (examples of possible actions the calling party may take, col. 6, ln. 2-col. 7, ln. 20; See also Fig. 5) corresponding to said URL;

selecting (choose) ("the calling party at terminal ... choose actions ... ", col. 5, ln. 66-67; See also "the calling party at terminal chooses...", col. 6, ln. 6,37,52 and col. 7, ln. 10) at least one of said one or more connection options (possible actions);

providing said URL (querying a database based on the number dialed to retrieve URL, col. 3, ln. 23-24) to a protocol server (SSP) (SSP transmits a query to the SCP, col. 3, lines 34-35);

placing a call (steps 501 and 502 in Fig. 5, col. 6, ln. 6-51) responsive to said at least one selected connection options (possible actions) by entering a phone number (number dialed, col. 3, ln. 21 and 24; see also Fig. 4; keyboard, col. 2, ln. 12);

routing the entered phone number (based on the number dialed) to the protocol server (SSP); and

routing a session request (request) ("...In response to the received request ... For calls transported by Internet/intranet, ... using conventional IP telephony protocols ...", col. 6, ln. 22-36; "... for calls transported by telephone system, ... using

**conventional CTI capabilities ...", col. 6, ln. 42-47; See also col. 6, ln. 6- col. 7, ln. 20)**  
corresponding to said one or more connection options (**possible actions**) to the protocol server (**SSP**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine displaying to a caller one or more connection options corresponding to URLs; selecting at least one of said one or more connection options; providing said URL to a protocol server; placing a call responsive to said at least one selected connection options by entering a phone number; routing the entered phone number to the protocol server; and routing a session request corresponding to said one or more connection options to the protocol server, as taught in Morton, with Lund, for the benefit of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45.

With regard to claims 6,28,50, Lund further discloses routing from said protocol server to a mapping service (**SCP 38,40, col. 2, ln. 20-22 and ln. 27; see also Fig. 2**).

With regard to claims 7,29,51, Lund further discloses mapping (**col. 2, ln. 17-27 and col. 3, lines 20-40**), by mapping service, said request to a URL.

With regard to claims 9,31,53, Lund further discloses providing said URL to an originating phone (**originating CPE, col. 3, ln. 27-28**).

With regard to claims 10,32,54, Lund further discloses accessing the URL through a protocol server (**SSP**).

With regard to claims 11,33,55, Lund further discloses access a web page (**web page, col. 3, ln. 27**) corresponding to said URL.

With regard to claims 12,34,56, the combination of Lund and Morton discloses a method, device, program storage device, of claims 1,23,45 respectively.

The combination fails to explicitly show said one or more connection options are encoded using SIP.

However, Official notice is taken that using SIP in IP telephony is well-known.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine SIP with Lund and Morton for the benefit of a de facto standard protocol in IP telephony to transmit data.

With regard to claims 13,35,57, the combination of Lund and Morton discloses a method, device, program storage device, of claims 1,23,45 respectively.

Morton further discloses said one or more connection options corresponding to a user's identity ("**... views any other data the called party wishes to present ...**", col. 7, ln. 11-12; **See also step 504 in Fig. 5**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine one or more connection options corresponding to a user's identity as taught in Morton with Lund to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45.

With regard to claims 14,36,58, the combination of Lund and Morton discloses a method, device, program storage device, of claims 1,23,45 respectively.

Morton further discloses said one or more connection options corresponding to a user's phone number (**telephone number, col. 6, ln. 19 and 55; see also Step 501, 502, 502 in Fig. 5**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine one or more connection options corresponding to a user's phone number as taught in Morton with Lund to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45.

With regard to claims 15,37,59, the combination of Lund and Morton discloses a method, device, program storage device, of claims 1,23,45 respectively.

Morton further discloses said one or more connection options corresponding to a user's location (**an alternate destination, col. 6, ln. 7; See also Step 501 in Fig. 5**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine one or more connection options corresponding to a user's location as

taught in Morton with Lund to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45.

With regard to claims 16,38,60, the combination of Lund and Morton discloses a method, device, program storage device, of claims 1,23,45 respectively.

Morton further discloses said one or more connection options corresponding to a user's schedule (**the called party's calendar, col. 7, ln. 14; See also Step 504 in Fig. 5**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine one or more connection options corresponding to a user's schedule as taught in Morton with Lund to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45.

With regard to claims 17,39,61, the combination of Lund and Morton discloses a method, device, program storage device, of claims 1,23,45 respectively.

The combination fails to explicitly show said one or more connection options are modified by group scheduling software to correspond to a user's schedule.

However, official notice is taken that a software limitation is well-known.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine software with Lund and Morton to utilize software for scheduling.

With regard to claims 19,41,63, the combination of Lund and Morton discloses a method, device, program storage device, apparatus of claims 1,23,45 respectively.

Morton further discloses the act of routing a session request (“**...In response to the received request ... For calls transported by Internet/intranet, ... using conventional IP telephony protocols ...**”, col. 6, ln. 22-36; “**... for calls transported by telephone system, ... using conventional CTI capabilities ...**”, col. 6, ln. 42-47; **See also col. 6, ln. 6- col. 7, ln. 20**) by said protocol server (**application server**) to a mapping service (**directory server application 304**) (... **the directory server application 304 of the application server 109 may each be implemented on different host computers, col. 7, ln. 25-28**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the act of routing said session request by said protocol server to a mapping service as taught in Morton with Lund to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45.

With regard to claims 20,42,64, the combination of Lund and Morton discloses a method, device, program storage device, of claims 1,23,45 respectively.

Morton further discloses the act of executing (**in response to... sends**) (“**...In response to the calling party selection, greeting server application sends a request ...**”, col. 6, ln. 16-36; **See also col. 6, ln. 6- col. 7, ln. 20**) said selected (**selection**) connection options.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the act of executing said selected connection options as taught in Morton

with Lund to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45.

With regard to claims 21,43,65, the combination of Lund and Morton discloses a method, device, program storage device, apparatus of claims 1,23,45 respectively.

Morton further discloses the act of returning an appropriate phone number (**<telephone number>, col. 7, ln. 40**) to said caller (**the calling party, col. 7, ln. 36**) by a protocol server (**application server 109, col. 7, ln. 27**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the act of returning an appropriate phone number to said caller by a protocol server as taught in Morton with Lund to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45.

With regard to claims 22,44,66, the combination of Lund and Morton discloses a method, device, program storage device, apparatus of claims 1,23,45, respectively.

Morton further discloses the act of initiating a call (**a call to be established**)("... In response to the calling party selection, greeting server application sends a request for a call to be established between the calling party telephone and the telephone number for the selected alternate destination ...", col. 6, ln. 16-17; See also Step 501,502 in Fig. 5) by said protocol server (**application server 109, col. 7, ln. 27**) (**greeting server application is within application server**), said call corresponding to said selected.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the act of initiating a call by said protocol server, said call corresponding to said selected connection option as taught in Morton with Lund to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45.

With regard to claims 24, the combination of Lund and Morton discloses a device of claim 23.

Morton further disclose the act of choosing (“**the calling party at terminal ... choose actions ...**”, col. 5, ln. 66-67; **See also “the calling party at terminal chooses...”**, col. 6, ln. 6,37,52 and col. 7, ln. 10) by said caller (**the calling party**), at least one of said one or more connection options (**examples of possible actions the calling party may take**, col. 6, ln. 2-col. 7, ln. 20; **See also Fig. 5**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the act of choosing, by said caller, at least one of said one or more connection options as taught in Morton with Lund to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45.

With regard to claim 25, the combination of Lund and Morton discloses a device of claim 24.

Morton further discloses placing a call (**steps 501 and 502 in Fig. 5, col. 6, ln. 6-51**) responsive to said one or more connection options (**examples of possible actions the**

**calling party may take, col. 6, ln. 2-col. 7, ln. 20; See also Fig. 5) chosen by said caller (the calling party).**

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine placing a call responsive to said one or more connection options chosen by said caller as taught by Morton with Lund to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45.

With regard to claim 26, Lund further discloses entering a phone number (**number dialed, col. 3, ln. 21 and 24; see also Fig. 4; keyboard, col. 2, ln. 12**) into an originating phone (**smart or intelligent phone, col. 2, ln. 6-16; see also Fig. 1**).

With regard to claim 27, Lund further discloses routing to a protocol server (**SSP, 22,24,26,28, col. 2, ln. 20-22 and ln. 25; see also Fig. 2**).

With regard to claim 62, the combination of Lund and Morton discloses a program storage device of claim 45.

Morton further discloses the act of routing a session request (“**...In response to the received request ... For calls transported by Internet/intranet, ... using conventional IP telephony protocols ...**”, col. 6, ln. 22-36; “**... for calls transported by telephone system, ... using conventional CTI capabilities ...**”, col. 6, ln. 42-47; **See also col. 6, ln. 6- col. 7, ln. 20**) corresponding to said connection option (**examples of possible actions**

**the calling party may take, col. 6, ln. 2-col. 7, ln. 20; See also Fig. 5) to a protocol server (application server 109, col. 7, ln. 27).**

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the act of routing a session request corresponding to said connection option to a protocol server as taught by Morton with Lund to take advantage of the full capabilities provided by Internet technologies. Morton, col. 1, ln. 44-45.

### **Conclusion**

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blanche Wong whose telephone number is 571-272-3177. The examiner can normally be reached on Monday through Friday, 830am to 530pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on 571-272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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*BW*

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December 17, 2007

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